

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Connors	Team: Squad #7	CCRB Case #: 201800093	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 01/04/2018 4:33 PM	Location of Incident: § 87(2)(b)	Precinct: 77	18 Mo. SOL 7/4/2019	EO SOL 7/4/2019	
Date/Time CV Reported Fri, 01/05/2018 10:20 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 01/05/2018 10:20 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT David McCann	00607	929484	077 PCT
2. POM Matthew Erdman	08314	960500	077 PCT
3. POM Daniel Briguglio	19092	958330	077 PCT
4. POM Ahad Hamdani	21731	959683	077 PCT
5. POM Daniel Staffa	22621	957187	077 PCT
6. Officers			077 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Christophe Hassan	04075	944638	077 PCT
2. POM Rico Iantorno	11296	954957	077 PCT
3. POM Jesus Perez	31139	955318	077 PCT
4. POM Oliver Rojas	19493	959947	077 PCT
5. POM Yefet Sharabi	18243	959227	077 PCT
6. DTS Robert Lynch	07218	923452	077 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Matthew Erdman	Abuse: Police Officer Matthew Erdman entered a bedroom of § 87(2)(b), in Brooklyn.	§ 87(2)(b)
B.POM Daniel Briguglio	Abuse: Police Officer Daniel Briguglio entered a bedroom of § 87(2)(b), in Brooklyn.	§ 87(2)(b)
C.POM Daniel Staffa	Abuse: Police Officer Daniel Staffa entered a bedroom of § 87(2)(b), in Brooklyn.	§ 87(2)(b)
D.POM Ahad Hamdani	Abuse: Police Officer Ahad Hamdani entered a bedroom of § 87(2)(b), in Brooklyn.	§ 87(2)(b)
E. Officers	Abuse: Officers threatened to remove § 87(2)(b) to the hospital.	§ 87(2)(b)
F.SGT David McCann	Force: Sergeant David McCann used physical force against § 87(2)(b)	§ 87(2)(b)
§ 87(4-b), § 87(2)(g)	§ 87(2)(b)	§ 87(2)(b)

Case Summary

On January 4, 2018, at approximately 4:33 p.m., § 87(2)(b) and his roommates, § 87(2)(b) and § 87(2)(b) were inside of their shared apartment § 87(2)(b) in Brooklyn. § 87(2)(b) § 87(2)(b) called 911 to report that § 87(2)(b) had made threats of physical force toward him, their neighbors, and himself. Within minutes, PO Daniel Briguglio, PO Matthew Erdman, PO Daniel Staffa, PO Ahad Hamdani, and Sgt. David McCann of the 77th Precinct responded to the location.

Upon arrival, § 87(2)(b) buzzed the officers into the building, and § 87(2)(b) opened the door to the apartment, and invited the officers inside. § 87(2)(b) was seated in the shared living room area when the officers approached him. They asked § 87(2)(b) if he was on any medication. § 87(2)(b) replied that he was and it was located within his bedroom. The officers entered § 87(2)(b)'s bedroom with § 87(2)(b) to check this medication (**Allegation A-D: Abuse of Authority**, § 87(2)(g) § 87(2)(b) handed the officers his medication who then told him either he could go to a hospital or be placed under arrest (**Allegation E: Abuse of Authority**, § 87(2)(g) § 87(2)(b)).

While the officers waited with § 87(2)(b) for EMS to arrive, § 87(2)(b) entered his bedroom to retrieve tools he had been working with. § 87(2)(b) exited from his room with a hammer in his hand and was immediately instructed by officers to drop it. Sgt. McCann allegedly grabbed § 87(2)(b) pushed him back into his bedroom, and onto § 87(2)(b)'s bed (**Allegation F: Force**, § 87(2)(g) § 87(2)(b)). The hammer was removed from § 87(2)(b)'s hand and the officers exited from the room.

Approximately 30 minutes later, EMTs arrived and questioned § 87(2)(b) who then determined he would be transported to § 87(2)(b) (**Board Review 01 and 02**).

Findings and Recommendations

Allegation A – Abuse of Authority: Police Officer Matthew Erdman entered a bedroom of § 87(2)(b), in Brooklyn.

Allegation B – Abuse of Authority: Police Officer Daniel Briguglio entered a bedroom of § 87(2)(b), in Brooklyn.

Allegation C – Abuse of Authority: Police Officer Daniel Staffa entered a bedroom of § 87(2)(b), in Brooklyn.

Allegation D – Abuse of Authority: Police Officer Ahad Hamdani entered a bedroom of § 87(2)(b), in Brooklyn.

Allegation E – Abuse of Authority: Officers threatened to remove § 87(2)(b) to the hospital. Allegedly, while waiting in the living room with the officers, officers questioned § 87(2)(b) regarding any medication he may be using. § 87(2)(b) acknowledged he was taking anti-anxiety sleep aid and another medication which blocked the effects of alcohol. One of the officers asked § 87(2)(b) if they could look at these medications. Before § 87(2)(b) could respond, the officers entered § 87(2)(b)'s bedroom. § 87(2)(b) followed them. Once inside, § 87(2)(b) handed the officers two orange bottles of pills from his dresser which had his name on them. The officers looked at the bottles, and handcuffed § 87(2)(b) and told him he could either go to the hospital or be arrested (**Encl. Board Review 02**).

During their CCRB interviews, PO Erdman, PO Briguglio, PO Hamdani, and PO Staffa testified that upon entering the apartment, they observed § 87(2)(b) inside a bedroom, seated on a windowsill, with the window fully opened, drinking a bottled beer. The officers testified that because they were responding to an EDP job, they entered § 87(2)(b)'s bedroom and instructed him to exit. § 87(2)(b) was compliant with this command, and everyone exited the bedroom. § 87(2)(b) then sat down in a chair within the shared living room area. The officers told § 87(2)(b) that they were waiting for EMS to arrive. § 87(2)(b) was never told by an officer he could either go to a hospital or be arrested (**Board Review 03, 04, 05, 06**).

§ 87(2)(g)

Allegation F – Force: Sergeant David McCann used physical force against § 87(2)(b)

§ 87(2)(b) was working on his computer in the living room while the officers spoke with § 87(2)(b). At some point, § 87(2)(b) entered his bedroom and retrieved a hammer. As he exited from his bedroom, Sgt. McCann allegedly grabbed § 87(2)(b) by his upper arms, bent them at the elbow, and put them behind his back. Sgt. McCann then pushed § 87(2)(b) back into his bedroom, and asked § 87(2)(b) to sit on his bed (**Encl. Board Review 01**).

During his CCRB interview, Sgt. McCann testified he had no independent recollection of this incident. Sgt. McCann acknowledged that he was listed as one of two units who responded to this location per the Event generated for it, but did not remember any details of this incident (**Board Review 07**). No other officer who acknowledged being present for this incident stated that a supervisor responded on scene, and specifically denied Sgt. McCann being present at any point during this incident (**Encl. Board Review 03, 04, 05, 06**).

§ 87(2)(g)

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 08**).
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- PO Briguglio has been a member-of-service for three years and has been a subject in two CCRB complaints and two allegations, none of which were substantiated. § 87(2)(g)
- PO Erdman has been a member-of-service for two years and has been a subject in five CCRB complaints and five allegations. § 87(2)(g)
- PO Staffa has been a member-of-service for four years and has been a subject in three CCRB complaints and four allegations. § 87(2)(g)
- PO Hamdani has been a member-of-service for two years and this is the first CCRB complaint to which he has been a subject (**Encl. Board Review 09**).
- Sgt. McCann has been a member-of-service for 16 years and has been a subject in five CCRB complaints and seven allegations. § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) and § 87(2)(b) opted to have this complaint investigated.
- § 87(2)(b), § 87(2)(c) (impair contract awards or CBAs)
- § 87(2)(b), § 87(2)(c) (impair contract awards or CBAs)
- As of September 27, 2018, the New York City Comptroller has no record of a Notice of Claim being filed in regard to this complaint (**Board Review 11**).

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Squad No.:	7		
Investigator:	<hr/>	<hr/>	<hr/>
	Signature	Print Title & Name	Date
Squad Leader:	<hr/>	<hr/>	<hr/>
	Signature	Print Title & Name	Date
Reviewer:	<hr/>	<hr/>	<hr/>
	Signature	Print Title & Name	Date